

ARTS & HEALTHCARE

STRENGTHENING OUR NATION'S HEALTHCARE THROUGH THE ARTS

ACTION NEEDED

We urge Congress to:

ARTS IN HEALTHCARE

- Request the Government Accountability Office (GAO) to conduct a study to assess the current status of federal support of creative arts in healthcare programs to improve the quality of healthcare services.
- Address, through research funding and regulatory support, increased access to creative arts in healthcare programs addressing older Americans, and those with Post-Traumatic Stress Disorder, autism, and other conditions through federal health programs.

HEALTHCARE INSURANCE COVERAGE

- Ensure that national health benefit exchange provisions as outlined within healthcare reform proposals include individual artists and cultural nonprofit organizations that are currently excluded for all practical purposes from employer-based insurance plans.

TALKING POINTS

In these difficult economic times, it is imperative to explore cost-effective options for delivery of quality healthcare services. Employment of arts in healthcare practitioners may fill gaps caused by reductions in healthcare staff due to rising healthcare delivery costs.

ARTS IN HEALTHCARE

Quality Care

- A GAO study would provide a much-needed status report on creative arts in healthcare programs in our federal healthcare system. Such an assessment has not been conducted to date. As Congress moves forward with healthcare reform, members should be empowered to make policy decisions based on research and driven by systematic data collection relating to the condition of healthcare and the arts, the practices that improve service delivery, and the effectiveness of federal support of creative arts in healthcare programs.
- Further study of the impact of arts in healthcare programs in a variety of treatment settings shows great promise. The aged, our veterans, and individuals diagnosed on the autism spectrum are critical populations whose treatments require our nation's thoughtful consideration.
- Several studies on the creative arts in healthcare have shown links to the following trends:
 - Reduced length of hospital stay and fewer medical visits,
 - Improved patient compliance during medical procedures and in self-care regimens,
 - Reduced use of pain and anti-anxiety medications,
 - Improved recovery time and therefore reduced need for higher levels of acute care,
 - Reductions in wandering and/or agitated states,
 - Increased resiliency and positive emotions,
 - Reduced levels of depression and improvements in quality of life variables, and
 - Decreased use of medical interventions covered by Medicare among the aging.

Improved Cost Control

- Economic analyses and cost studies show a positive trend with respect to the use of creative arts practices in containing healthcare costs.
- The creative arts offer an innovative solution for addressing some of the cost containment concerns in healthcare such as length of stay, patient compliance, and staff retention.
- A secondary benefit of creative arts in healthcare settings is consistently higher levels of consumer (patient) and caregiver satisfaction, including positive trends in caregiver (staff) recruitment and retention.

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HEALTHCARE INSURANCE COVERAGE

- Independent workers in the arts and culture sector support healthcare reform establishing affordable and comprehensive individual insurance coverage choices through health benefit exchanges.
- The strength of this workforce, which is often self-employed, is enhanced by reform provisions that guarantee availability of coverage and prohibit discrimination against individuals based on health status.
- Successful implementation of reductions in cost-sharing and out-of-pocket limits offers additional support, not only to the creative arts industry, but to all Americans.

BACKGROUND

ARTS IN HEALTHCARE is a multidisciplinary field dedicated to improving the healthcare experience for patients, families, and caregivers. This rapidly growing field integrates the arts, including literary, performing, visual arts and design, into a wide variety of healthcare settings for therapeutic, educational, and expressive purposes. Research confirms that the arts enhance coping thereby reducing patients' need for hospital care and pain medication, and their associated costs. In addition, the arts reduce patients' level of depression and situational anxiety, contribute to patient satisfaction, and improve the medical provider's recruitment and retention rates.

Clinical areas currently demanding increased attention within the U.S. healthcare system include military veterans diagnosed with Post-Traumatic Stress Disorder (PTSD), the aging baby boomer population, and individuals diagnosed on the autism spectrum. Healthcare research outcomes for interventions by creative arts practices demonstrate improved quality and effectiveness of care, enhanced psychosocial and physical health, decreased agitation, increased response to rehabilitation treatment, and improved caregiver coping skills. Research related to persons with autism reveals a growing strength of evidence using specific creative arts interventions on improving outcomes such as social and communication skills. This research includes systematic reviews of scientific literature and robust research designs including randomized clinical trials.

Research in the use of creative arts in healthcare includes creative arts therapies, population specific creativity studies, healthcare facility design, and environment of care measures across multiple medical conditions, disabilities, and wellness/prevention programs. Data sources across a wide spectrum conclude that creative arts applications have a positive impact on quality of life and demonstrate that creative arts interventions provide a marked benefit through cost savings potential and improved response to health and wellness programs.

Creative arts practitioners work in diverse settings across a wide spectrum of populations, literally serving persons from cradle to grave. Besides private for-profit and nonprofit health facilities, settings include, but are not limited to, hospice programs, long-term care facilities, mental health programs, schools, rehabilitation treatment centers, special needs camps, disaster response teams, psychiatric forensic units, veterans facilities, prisons, community centers, wellness programs, and military bases.

Current federal statutes provide opportunities to address this quality of care issue—such as the Older Americans Act and the Individuals with Disabilities Education Act as well as various research activities at the National Institutes of Health, Centers for Disease Control & Prevention, and the Healthy People 2020 effort at the U.S. Department of Health & Human Services. There is need to increase access to these services by expanding the list of creative art treatments eligible for reimbursement through the Centers for Medicare and Medicaid Services.

HEALTHCARE INSURANCE COVERAGE

Finally, as the 111th Congress continues, we support Congress in enacting healthcare reform legislation. Artists are disproportionately self-employed, and those who are not often work multiple jobs in volatile, episodic patterns. These individuals with nontraditional employment relationships are locked out of group healthcare coverage options, making health insurance significantly more expensive, more difficult to obtain, and harder to navigate.

MUSICAL INSTRUMENTS AS CARRY-ON LUGGAGE

ACTION NEEDED

We urge Congress to:

- **Enact S. 1451, the FAA Air Transportation Modernization and Safety Improvement Act, which sets a uniform national policy for all airlines regarding musical instruments as carry-on luggage on airplanes.**

TALKING POINTS

- **Musicians make their livelihood from their instruments. If musicians cannot carry their instruments on airplanes, they miss their engagements.** Many instruments are too delicate and valuable to be checked as luggage. They must be carried on board the airplane. Without their own instruments—the tools of their trade on which they regularly rehearse and perform—musicians are unable to perform. Substituting instruments upon arrival at a new destination is simply not an option.
- **A uniform policy would greatly benefit musicians.** Currently, airline policies vary widely, with each individual airline responsible for adopting and enforcing its own policy regarding carry-on luggage and checked baggage. This makes it more difficult for musicians to know what to expect when they travel.
- **S. 1451 institutes a uniform national carry-on policy that takes musicians' needs into consideration.** Language has been included in both versions of the FAA reauthorization bill this year to address the carry-on issue. The Senate version, S. 1451, allows any instrument to be carried on board that can fit in an overhead bin or under the seat, while the House of Representatives' version, H.R. 915, contains language that is less favorable.

BACKGROUND

Currently, each airline has a different policy regarding the size of an instrument that can be stored in the overhead bin of an airplane. In addition, the application of these policies by airline personnel is arbitrary and capricious. As a result, many musicians must choose at the last moment to cancel their flight and miss their engagement because of the fear that their instruments will be damaged if they are checked.

The Senate FAA bill, S. 1451, introduced by Sens. Rockefeller (D-WV), Dorgan (D-ND), DeMint (R-SC), and Hutchison (R-TX), would eliminate this situation by allowing all musical instruments that can fit into the overhead bin or beneath the seat of an airplane to be allowed on board. S. 1451 is within the jurisdiction of two committees, the Senate Commerce Committee and the Senate Finance Committee. In addition to the carry-on policy for small instruments, S. 1451 also has provisions for oversized instruments. A musician can either buy a seat on the airplane for a large instrument like the cello, or choose to check the instrument.

Airline policies limiting the in-cabin transportation of musical instruments are not related in any way to security concerns following September 11, 2001. In fact, in 2002, the Department of Homeland Security's Transportation Security Administration (TSA) instituted a specific policy allowing passengers to carry one musical instrument in addition to one carry-on and one personal item through screening checkpoints. The airlines have no security reason for imposing arbitrary and unreasonable restrictions on the transport of musical instruments.

FEDERAL COMMUNICATIONS COMMISSION

PROTECTING PERFORMING ARTS AUDIO TECHNOLOGY

ACTION NEEDED

We ask Congress to:

- Urge the FCC to expand Part 74 eligibility for licensing of wireless microphones to include performing arts organizations and venues, educational facilities, religious institutions, and museums. This expanded licensing eligibility would also ensure these entities access to all interference protection measures.

BACKGROUND

For the past 35 years, wireless microphone users including nonprofit performing arts organizations as well as commercial theaters, museums, schools, and musicians have utilized equipment operating within the “white space” radio frequencies between broadcast channels of the television band. The FCC has already authorized new white space devices, such as PDAs, cordless phones, and wireless laptops, to operate in the TV band. While the FCC has not previously made provision to license the use of wireless microphones by performing arts organizations and venues, educational institutions and museums, the agency has recognized the importance of these incumbent users in its proceedings. In order to avoid radio interference to professional wireless microphone and audio systems, as well as new white space devices, the FCC has proposed development of a geo-location database, which would provide an interference protection mechanism.

Wireless microphone technology is commonly used in the performing arts. For more than three decades, this technology has allowed unrestricted onstage movement and sophisticated sound. Wireless systems are also heavily utilized backstage for the two-way radios used by stagehands to communicate and execute complex technical activity. Interference to these backstage communications could compromise safety for performers and audiences.

In order to assure access to this geo-location database as well as any other interference protection measures, performing arts organizations and venues, educational facilities, and museums must be eligible to apply for a license to operate their wireless microphones. As the FCC works to develop the technical and operational rules to regulate new wireless devices, it must also strive to safeguard existing services, including wireless microphones, while committing to opening the spectrum to new uses. H.R. 4353, introduced by Rep. Bobby Rush (D-IL), would require the FCC to authorize access by operators of wireless microphones to the geo-location database. Performing arts organizations and venues, educational facilities, and museums would benefit from interference protections provided by the FCC with a goal of preserving interference-free entertainment, sports, news, religious, and other productions as well as protections for new electronic devices.

TALKING POINTS

- The FCC recently adopted an order which mandates that wireless microphones cease operating in the 700 MHz band by June 12, 2010. Most microphone systems would have to be replaced in order to comply with the FCC Order. The Association of Performing Arts Presenters reports that its members have spent between \$25,000 and \$900,000 on wireless microphone equipment that will need to be replaced. A number of regional theaters have reported that the cost of transition has averaged \$25,000 so far. According to the Educational Theatre Association, high school theater programs, on average, will incur between \$8,000–\$10,000 in equipment replacement costs. These costs must be incurred on a quick timeline and endured by institutions least able to afford this transition, in an economic climate in which public and private funding from all sources is diminished.
- As the FCC receives comments on its Notice of Proposed Rulemaking, it is important to remind the agency that interference would adversely affect the ability to provide the high-quality performances that audiences have come to expect at performing arts organizations and venues, educational institutions, and museums. There are more than 21,000 school theater programs in the United States; restrictions on wireless microphone use would impact approximately 500,000 students enrolled in those programs. Performances by opera and dance companies, symphony orchestras, and regional theaters reach a combined audience of 104 million Americans annually and collectively represent an annual \$6.8 billion dollar industry. Professional wireless capability is essential to the professional nonprofit performing arts sector.

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TALKING POINTS (CONTINUED)

- The impact on touring Broadway productions in 240 cities across North America—seen by more than 17 million theater-goers each year—would be devastating. Broadway theaters in New York attract 12 million theater-goers per year, support 45,000 full-time equivalent jobs, and generate an economic impact of \$4.8 billion—an industry that would be crippled without wireless capability. This is indicative of the impact on performing arts venues in general.
- Some systems for hearing impaired theatre patrons rely on wireless microphone technology and frequencies. Without the proper operation of these technologies, our hearing impaired patrons will suffer inferior quality performances.

HOUSE COMMITTEE ON ENERGY AND COMMERCE

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<http://energycommerce.house.gov>

The Energy and Commerce Committee has jurisdiction over all legislative matters relating to regulation of communications issues including the Federal Communications Commission (FCC). The committee also has primary jurisdiction of healthcare reform efforts.

Democrats (36):

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Edward J. Markey (Massachusetts-7)
Rick Boucher (Virginia-9)
Frank Pallone (New Jersey-6)
Bart Gordon (Tennessee-6)
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Eliot L. Engel (New York-17)
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John Barrow (Georgia-12)
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Zachary T. Space (Ohio-18)
Jerry McNerney (California-11)
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Ralph M. Hall (Texas-4)
Fred Upton (Michigan-6)
Cliff Stearns (Florida-6)
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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

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The Senate Committee on Commerce, Science, and Transportation has jurisdiction over all legislative matters relating to regulation of communications issues including the Federal Communications Commission (FCC). The committee also has primary jurisdiction of healthcare reform efforts.

Democrats (14):

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Barbara Boxer (California)
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